

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION**

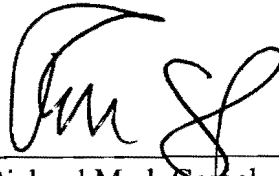
Anthony L. Mann,)	
)	
Plaintiff,)	No. 0:14-cv-1647-RMG
)	
vs.)	ORDER
)	
Captain C. Williams,)	
)	
Defendant.)	

Anthony L. Mann,)	No. 0:14-cv-3474-RMG
)	
Plaintiff,)	ORDER
)	
vs.)	
)	
Sgt. M. Scott, Sgt. Kiesha Gibbs, Lt.)	
Frank Richardson, Nurse Elouise)	
Montgomery,)	
)	
Defendants)	

Plaintiff, a *pro se* prisoner, filed these actions against various defendants alleging certain violations of his constitutional rights. The Court granted in part and denied in part Defendants' motions for summary judgment in these actions, with excessive force claims surviving summary judgment in both actions. In reviewing Plaintiff's surviving claims, it appears to the Court that this *pro se* litigant has colorable claims but lacks the capacity to properly present these claims at a trial in this matter. *Zuniga v. Effler*, 474 Fed. App'x 225 (4th Cir. 2012). In such a circumstance, the Court has discretion to appoint counsel for the *pro se* litigant if the party is

unable to afford counsel. 28 U.S.C. § 1915(e)(1). The Court finds that appointment of counsel is proper in these circumstances and hereby appoints Robert W. Whelan of the Nelson Mullins law firm as counsel for Plaintiff.

AND IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'R. Gergel', is written over a horizontal line.

Richard Mark Gergel
United States District Judge

September 2, 2015
Charleston, South Carolina